

REMARKS

The Examiner has rejected claims 1-29 under 35 U.S.C. §103(a) as unpatentable over Speicher, US Patent 5996006 in view of McArdle et al. (US. Pub. 2002/0049847). Claims 1-3, 12, 15-17 and 27 have been amended to clarify the features of the present invention. The present invention provides for user established proportionality, the relative importance or relevance, in the entered data and reciprocal proportionality created by the system in the viewing of data. As described in the application on page 6 lines 1-11 and FIG. 4, proportionality of data can be entered directly by the user with “sliders” to establish a value for selected criteria. Alternatively, as described on page 6 line 16 – page 7 line 12, the “sandbox” is employed to position the desired traits or criteria relative to other traits/criteria by dragging and dropping the chosen word or phrase in a position in the two dimensional representation of the space with positioning in a bin for greater or lesser applicability for importance to the user is both dimensions i.e. as a trait applicable to personal characteristics or as a trait applicable to business/professional characteristics.

With respect to claim 1, the Examiner asserts that McArdle et al. teaches “proportional selection” citing FIGs. 3(o) and 3(p). It is presumed that the Examiner refers to placement of the icons into the “new orders” box in the figure. No proportionality is assigned or created in any manner in McArdle. In FIGs. 3(o) and 3(p) icons merely appear as selected and the system does not disclose or suggest any means to provide for relative importance or applicability based on placement of the icon in any portion of the “new orders” box or in any other form. McArdle merely provides for display of the icons as selected. No “means for selection of predetermined data elements with assignment of proportional value” as disclosed and claimed in claim 1 is present in McArdle.

In the present invention, the presentation of data, i.e. persons with traits or criteria comparable to the user, is provided in a “visualizer” as described on page 11 lines 1- 10 of the present application. The visualizer provides a multidimensional placement of the compared person to the particular user by a radial distance and a quadrant positioning providing proportionality to the visual display.

Speicher does not disclose any similar elements or limitations. The Examiner’s specific reference in his rejection of claim 1 to FIG. 6 elements 1021 and 1027 and the

description at col. 8 lines 34-45 makes no such disclosure. The presentations provided by Speicher are simply text tables without any relevance provided in multiple dimensions on the display. The characters 1021 and 1027 are merely text entries that state a match. No proportional relationship of the data is provided much less a positioning of data in *“multidimensional relation to a point representing the data of the particular user”* or scalability of the display from *“the entire universe of data to data for users in a close neighborhood”* as provided by the present invention as specifically claimed. The elements in Speicher referenced by the Examiner are merely data presentation in text format. Further, no “expansion” of data is provided for such as that enabled by the present invention as described on page 12 lines 3- 12 and specifically claimed as *“means for expansion of a selected one of the single points for display of the profile and characteristic data of the user associated with the selected one single point”*. FIG 9 of Speicher and the referenced description merely provides for response to a selected “result” not an expansion of the data presented for the result. This element is claimed in further detail in claim 5 discussed below.

The applicants respectfully request that the Examiner’s rejection of claim 1 be withdrawn.

With respect to claims 2 and 16, the Examiner asserts that Speicher at col 7 lines 50-56 discloses a “slider” for proportionality selection. The text cited does not disclose or suggest any “proportional” selection but merely the identification of specific “input fields” which correspond to displayed fields on the “Ad Placement Form” that are selected by the user for input of text. No means of varying the relative importance of the input is disclosed. The specific limitations of claim 2 for means for selection of predetermined data elements with assignment of proportional value comprising a *“slider adjustable through a range of applicability of the predetermined term to the user”* is not disclosed or suggested and the applicants contend that claim 2 and by similar argument claim 16 as a method, are patentable over Speicher and McArdle.

With respect to the Examiner rejection of claims 3 and 17 based on FIGs. 3(o) and 3(p) of McArdle, the argument above is reiterated. The New Orders box is merely a display location. The McArdle disclosure in those figures does not go beyond a mere display of the selected icons. No disclosure of any proportional relationship of the

entered data is made. The applicants respectfully contend that the Examiner's rejection is not supported.

With respect to claim 4 the Examiner again asserts that FIGs. 3(o) and 3(p) of McArdle disclose "bins" for respective proportionality of the selected terms. The "bins" in the present invention allow a selected term to be "dropped" into that bin, as describe on page 6 lines 22 – 26 of the present application and FIG. 5a which shows as exemplary three separate bins 40, 42 and 44, to provide a weighting or proportional value for calculation and subsequent placement/presentation in the visualizer as well as determining "closeness" of the specified characteristics for the user and the collaboration contact. The operation of the proportionality bins is further explained on page 7 lines 1-12. No such disclosure is present in McArdle as cited. At most, the New Orders box comprises a single bin.

With respect to claims 5 and 20 the Examiner correctly asserts that Speicher teaches an expansion of data from a selected add through a link to that specific add. However, claims 5 and 20 depend from claims 1 and 15 and therefore include the limitations and structure provided in those claims. The applicants respectfully contend that when taken not merely as a single element but as a combination of all elements, as required, these claims are allowable. As argued above, Speicher and McArdle do not disclose or suggest the combination of elements claimed and the applicants respectfully contend that claims 5 and 20 read with all applicable structure and limitations are therefore allowable.

The Examiner has rejected claims 6 and 21 based on disclosure in Speicher of a means for contact of the "user" if a match is found between an add and the user's input criteria. The present invention provides for a display of the data of all "users". The present invention allows a particular user viewing the display to select another user represented as a point on the display and be placed in contact with that user (*"means for initiating contact with the user associated with the selected one single point"*). Such capability is not disclosed in Speicher which only provides for an automated contact based on an exact match. Additionally as argued above, claims 6 and 21 depend from claims 1 and 15 and therefore include the limitations and structure provided in those claims. As argued above, Speicher and McArdle do not disclose or suggest the complete

combination of elements claimed. The applicants respectfully contend that claims 6 and 21 are not disclosed or suggested by the art as cited by the Examiner and are allowable.

The Examiner cites Speicher col 11 lines 27-28 with respect to rejection of claims 7 and 22. The cited reference in Speicher deals solely with storage of data input by the “caller” (the equivalent of the “particular user” in the current application with respect to the claims at issue) not any data presented by the display and then selected by the user. “If the *caller* elects to respond to the ad, the IVR next cues him to record *his response* 8011. The IVR then stores *the response* to a disk file 8012 and updates the Ad Database” (emphasis added). Claims 7 and 22 provide for selection of one of a plurality of users represented on the display by the particular user and storage of that information in the particular user’s database. See the description in the present application at page 12 lines 13-20. The applicants contend that this feature of the present invention as claimed is not disclosed or suggested by the prior art cited by the Examiner and that claims 7 and 22 are allowable.

With respect to claims 8 and 23, the Examiner cites Speicher col. 11, lines 17-18 for the limitation “wherein the single points on the displaying means further include secondary indicia of available data included for the user associated with the selected one single point”. The specific disclosure cited in Speicher provides “If the IVR finds a match, the IVR plays the greeting of the matching ad 8009. If the greeting is in text form, the IVR uses text to speech to play the message”. This capability is again merely a response to an exact match input by the caller. The present invention as claimed provides “secondary indicia” of available data. As described in the present specification at pages 11 line 22 through page 12 line 2 “For example if a photo has been uploaded as previously described with respect to FIG. 6, *the icon* on the Visualizer is depicted in a *different color or with a different icon shape* as shown for one representative asterisk 58. *Alternatively, the color or shape can be a further indicia* of the relative similarities of the user and the people or entities represented in the visualizer. For example, greater similarity in the career category could result in an icon of a first color while similarity in the personal category would result in an icon of a second color” (emphasis added). Speicher does not disclose or suggest any such capability and the applicants contend that claims 8 and 23 are patentable.

The Examiner's rejection of claims 9 and 24 with citation to Speicher fig. 9 is not clearly understood. However, if the Examiner is referring to the icons present for the video camera (video), microphone (audio) and photograph (camera), such icons are representative for input data of that format as input (see col. 12 lines 23 – 35 for a description of the present invention's capabilities) and do not have any relationship to the ability to subsequently create a display "wherein the secondary indicia comprises a *variable icon* representing the single points". There is no disclosure that icons themselves have secondary indicia to indicate various alternative data available for a selected point such as an icon on the visualizer in the present invention.

The Examiner's rejection of claims 10 and 25 with reference to Speicher fig. 14 is also not clearly understood. However, again presuming the reference relates to the icons for video and audio, the argument above for claims 9 and 24 is reiterated. No disclosure is present in Speicher of the limitation claimed for "secondary indicia [which] comprises a *variable color applied to an icon representing a single point*" (emphasis added).

Speicher at col. 14 lines 41-43 referenced by the Examiner in rejection of claims 11 and 26 discloses "FIG. 11 depicts personal ads as they would appear in the local newspaper. Icons are included in each ad that represent the origin of an ad (via telephone or via the internet) and what additional information or multimedia, if any is available on the internet." The applicants respectfully find no disclosure of any element or step for a display "wherein the multidimensional relation is radial location and distance, and the calculating means calculates a segment and distance for each point representing the data for a particular user". The applicants contend that the Examiner's rejection is unsupported by the cited reference.

With respect to claims 12 and 27, 13 and 28, 14 and 29, and 18 the argument presented above with respect to the independent and/or intermediary claims from which these claims depend demonstrates the elements and limitations of the combination presented in the claims as a whole that is not disclosed or suggested by Speicher alone or in combination with McArdle. The applicants respectfully contend that when taken not merely as a single element but as a combination of all elements, as required, these claims are allowable.

With respect to claim 19 the Examiner again asserts that FIGs. 3(o) and 3(p) of McArdle disclose “bins” for respective proportionality of the selected terms. As argued above with respect to claim 4, The “bins” in the present invention allow a selected term to be “dropped” into that bin, as describe on page 6 lines 22 – 26 of the present application and FIG. 5a which shows as exemplary three separate bins 40, 42 and 44, to provide a weighting or proportional value for calculation and subsequent placement/presentation in the visualizer as well as determining “closeness” of the specified characteristics for the user and the collaboration contact. The operation of the proportionality bins is further explained on page 7 lines 1-12. No disclosure is present in McArdle as cited of “providing a *plurality of proportionality bins* in which the selected attributes *are placed based on relative applicability to the user*” (emphasis added). At most, the New Orders box comprises a single bin.

The applicants believe that all claims in the application are in condition for allowance as argued above and action by the Examiner in that regard is respectfully requested.

Respectfully submitted,

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Date: 06/20/2008

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